do 43-20-33.
" 25-21 (1-12, 16-17)
" 306-12 (1-20)
" 16 G.R.S. 58]
" 25-16 (1-3)
" 260-18-18
" 42-9 (1-14)
" 213-17 (1-23, 25-28)
" 184-18 (3-11)
Later references.
bfs 115-27, 1-68-14.
bfs 41-30, 1-2

Previous references.

1924
(Courts)

File No. 5-4-24
Serial Nos. 1-12

Previous

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 12

Part B for December 1924.

SUBJECT

Proposals to increase the powers of the Bench courts at Trichur, Palghat and the Bench courts in Head Quarter Towns.

Note. WOP 3197-205-9 23-12-24 To the Regr. Ele. Courts
" Dms of Distts

notifies the above.

Ramaswamy Iyengar
10/1/25

G. R. S. 11] 1924-5

GENERAL AND REVENUE SECRETARIAT.

(CS)

NOTES.

File No. 57-24

FILE HEADING.

Increasing the jurisdiction of the Bench courts at Brickere and Hole Narsipur

From

The Dist. Magistrate

Rec No. 28-24 Dated 30.7.24. Received 2.8.24.

Diary No. 481	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests that the jurisdiction of the Bench courts at Brickere and Hole Narsipur be enhanced so as to allow the Dist. to refer other cases at his discretion.

NOTES AND ORDERS.

In memo no G. 18548/CS: dt 12-2-20 the Dist. was requested to refer only cases of simple hurt, theft etc assault to the Bench courts at Brickere and Hole Narsipur. Now the Dist. recommends that other classes of cases also may be directed to be referred

NOTES—First Sheet.

4861/P 2

General and Revenue Secretariat. | File No. 57 of 1924

Serial No.

these Courts at the discretion of the Govt. Now that the separation schemes to be introduced in Bassein it is perhaps better to leave the Govt. the discretion to refer whatever classes of cases he deems fit to these Bench Courts. Govt. into a draft

13.8.24.

(2) This may perhaps be taken up after the Scheme is fully introduced.

8/13/8

1446/16-8-24

1st member

8/15/8

8/16/8

(3) There is a pot-under presenting two classes of cases viz heard by Second Magistrates. Please put up these under.

15/8

8/25/8

8/20/8

(4) Govt intimated vide G.O. no. 4910-18/25-43-220-33 & 25-4-1922 (Judg R)

G. R. S. III-2]

WD 2310-1-GPE—10,000—31-5-24

.General and Revenue Secretariat | C5 File No. 57 of 1924-5

Serial No.

1) According to the G.O. the Bench courts at District Headquarters have been empowered with the full powers of a Third class magistrate and at Taluk headquarters with power to try cases of theft where the value of the property does not exceed Rs. 50/-

2) Submitted with Reference para 3.

22-8-24 SBR 22/8 [illegible]

22/8

1st member

772/2570

8.D. 23/8

3) I do not understand what Mr. District Magistrate wants - In cases of cases which the Bench Courts can try when have been mentioned by Mr. G. the Criminal Procedure will have to be modified.

Mr. G 25/8

8.D. 25/8 26.8

Submitted.

The proposal of the D.M. if sanctioned modifies the G.O. of the 25th April 1922. Instead of it is submitted that instead of

NOTE—Contn. sheet.

Serial No.

issuing a general order. Each recommendation may be disposed on its merits. In this view, the draft putup may perhaps be considered fitted for orders

28/8/24

Put

(1) The proposal of the D.J. would go beyond the G.O. of 25th April 1922. (Pl: R). The proposal may perhaps be related unless the G.O. is sooner changed

28/8

dh 29

(2) The 1st Magistrate may be asked to explain clearly what he means when he says 'Sanction of Govt may be obtained for referring to three Courts, & the decision of the 1st Magistrate, other classes of cases also.

1st Member

1921
29-8-24

(1) A.D.O. Magh number 25 in Dy Comm's and he may be asked to make his position clear.

27/8

28/8

Put

30/8

30/8

(2) Put into adopt-

1.9.24

Issued 3/9

NOTE—Conton. sheet.

G.R.S. III-21

45!

Cb File No. 57 of 1924-5

General and Revenue Secretariat

Serial No. 2

To A. V. Ramanathan Esqr, D.M. Madura

D.O. no P 1194 dt 5-9-24

With reference to ¶ 1 requests him to explain what is meant by "Sanction of Govt ... other classes of cases also" (last 3 lines of the letter) and to make his points clearer.

6/9

From Mr. A. V. Ramanathan D.M. Madura No C.28.24 dt. 6.9.24. Explains the proposal in his first letter (¶ 1)

Since then, the proposal of the D.M. is explained in the latest communication among the withdrawal of the restriction placed on him under G. 1356-48 dated 12.2.20 so that the Aravakurichi and Dharapuram Benches may be brought into line with the other Benches recently constituted. This may perhaps be effected by G.O. dt 10.1.24 but not however by the reservation contained in G.O. dt 25.4.22

Hang Tu.

but

Under the Notification G. 1356-48 dated 12.2.20 (Pl. 80) the District Magistrate was directed to refer only cases of ordinary nature such as theft, simple hurt or assault to the Bench Courts at Aravakurichi & Dharapuram.

NOTE—Contn. Sheet

B20

1133 6

G. R. S. III-2.

General and Revenue Secretariat. — File No. 7 of 19

Serial No.

Under go. J. 6910-18 dated 28th April 1922 H. R. Govt directed that the Bench courts at Taluk headquarters may be invested with powers to try cases of thefts where the value of the property does not exceed Rs 50/- and more as 1st class Powers with full powers of a third class magistrate.

(b) Under the recent notification appointing Bench magistrates in consequence of the separation scheme in the Vizagapatam district, (Telugu) the Bench courts at Chemmarajapatnam, Anakapalle, Atchutapuram, Yellamanchili and Narsipatnam try all cases referred to them by the 1st class magistrate. This notification is silent with regard to the Bench courts at Avanigadda & Kotapatnam, so that the 1st class magistrate has to refer to them only simple cases referred to in the Govt. go. of 12.2.20. The D.M. Vizagapatam therefore wants this restriction to be removed so as to enable him to refer other cases also as in the case of the other Taluks. This may perhaps be done.

2300/11/19

Under Sec. (17) I would like to discuss this question with the Law Member.

Secretary — Have discussed with the Law Member. The Draft Circular may also be passed with the above proposed addition.

12/9

NOTE—Contn. sheet.

G. R. S. III-2

General and Revenue Secretariat.

C/- File No. 57 of 1945

Serial No.

(1) Put up. All the orders are note file

8/ 22/9

15/9

Put up with 3 drafts for orders as directed

2753/2819

8/ 20/9/45

(20) may be approved.

8/ 22/9

(21) Slightly revised.

22) The drafts may perhaps be approved.

1st member

8/ 22-9

23) The Addl. Secretary will submit this in person.

8/ 22-9

23/9

8/ 23-9

24) I had a personal discussion with the 1st member. He has ordered that with regard to the powers of the Bench magistrates at Taluk & sub Taluk Head Quarters, the existing powers may continue except that they must be invested with powers to take cognizance under Sections (190 (1) (a) etc)

NOTE—Contn. sheet.

Serial No.

We have further noted that G.O. of 1922 is unsatisfactory, so far as Bench magistrates in certain District Headquarters are concerned, as some of them are exercising 2nd class powers and wants this to be rectified.

For this purpose it is necessary to know the nature of the powers exercised by the various Bench Courts at the Headquarters.

Please put up this information and draft modification order accordingly.

24.9

Put up with draft as directed

2.7.11.

30.9

Copy for information.

To Deputy Superintendent, Bench Courts with the power vested and complete why not we cancel the delegation - the General Superintendence

30.9

30.9

30.9

General and Revenue Secretariat.

C5 File No. 57 of 1924-5

3048

Serial No.

Kolar & Chikkaballapur may also be invested with such class powers.

3/10

5/10

6.10

30 Ltr with 2 Drafts

9/10/24 31 9/10/24

4 To the D.m Kolar and Chikballapur

No P. 2007 dt. 13.10.24.

Requests to intimate whether the Bench courts in their respective dists may not be invested with Second class powers.

5 To the D.ms, Hassan, Chikballapur & Kolar

No P 2009-11 dt 13.10.24.

Requests to intimate whether the Bench courts in Dist and Taluk Head Quarters in their dists may be empowered to take Cognizance of offences on Complaint and on Police reports under sections 190(1) a & b.

C5

Svs

NOTE—Contn. Sheet

CS File No. 57 of 1924

General and Revenue Secretariat.

	Serial No.
From The D.M. Hasan D. Letter No Dj dis 129 dj 15/10/24 States that he sees no objection to the Bench courts being invested with the power to take cognizance of offences under section 190 i (a) & (b) Criminal Procedure code and that the Bench courts in the Dt have already been invested with the power.	6
From The D.M. Chittal Drug Dt Letter no C j 93 of 24 dj 15/10/24 States that the Bench courts in the Dt need not be invested with the power to take cognizance of offences until the separation scheme is introduced.	7
From Mile Sama Letter no C j 923 dj 15/10/24 States that the Bench court at Chittal Drug need not be invested with the second class powers as there are no competent men to serve in the Bench.	8
Reply from Kolar may be awaited 19/10/24	55 21/10

NOTE—Contn. Sheet

1864 11

General and Revenue Secretariat. | C5 — File No. 57 of 1924

Serial No.

9 The D.m. Kolar Letter no 1246/24-10-24 States that the question of investing the Bench Courts at Kolar with second class powers may be referred for orders till such time as the question of good order.

10 The D.m. Kolar Letter no. 5246/20.10.24 States that all the Taluks in his D. have been invested with the power to take cognisance of offences under section 190 (1) (a) and (b).

54) The D.m. of Kolar and Chitaldrug are not in favour of investing the Bench Courts at Kolar and Chitaldrug with second class powers.

55) As regards the powers to take cognisance of offences on complaint and police reports, the D.m. of Kolar and Bangalore have invested the Benches in their Ds with that power. The D. of Chitaldrug is not in favour of investing the Bench Courts in his D. with that powers. In all the other Ds the Bench Courts have been invested with that powers. Under the circumstances, ~~the Bench Courts at~~ at the Nagarpet and Bowringpet the D.m. Bangalore may be directed to refer the Bench Courts at the Nagarpet and Bowringpet other classes of cases besides cases of simple hurt, theft of property not exceeding Rs 50/- in value and assault as requested by him in his letter referred to paras 2 & 3 above.

NOTE—Contn. Sheet

3/4/24 Asst

Serial No.

In all the Dist Hqrs quarters except in Kolar & Chitaldrug, the Bench Courts are exercising II class powers. The DM's of Kolar & Chitaldrug are now in possession of investing the Bench Courts at Kolar & Chitaldrug with 2nd class powers, since Competent men are not available for exercising II class powers.

3) As regards taking cognizance & entertaining Complaints, all the Bench Courts except those of Chitaldrug & Kolar are empowered to do so. The DM of Chitaldrug is of opinion that this question may be deferred till the separation scheme is introduced into Chitaldrug Dist. &

3) Submitted with reference to para 29 above.

4) Under these circumstances the proposal of the D.M. of Kolar

NOTE—Contn. Sheet

Serial No.

~~The matter~~ to ~~be~~ [illegible] to refer such of the 3rd class cases as he deems fit, as he does to the Courts of the Benches, may perhaps be sanctioned:

Ch Secy
12 Nov

Dept.

19/11

L+146
21.XI.24

We do not think that such cases as these Courts will [illegible] 20/11
3rd class powers may be conferred [illegible] 20.11
may be conferred with 3rd class powers [illegible]
Under Rule [illegible] 3rd class powers [illegible]
[illegible] 15/11

16/11.

17/11

Send with 2 drafts

17/11/24.

18/11/24 Ch Secy

25
18/11

Approved
19.11

19.11

NOTE—Contn. Sheet

To the Dist. Hassan " S.P. of Police " Regr. Sch. Court	11 Serial No.
No P. 3194-6 dt 23. 12-24.	
In modification of memo no. G 18548 dt 12-2-20. to the Dist. Hassan forwarding copy G.O no. G 18547/ch 260-18 — 8 dt 12-2-20. sanctions the proposal of the Dist. to refer to the Bench Courts at Arsikere & Holenarasipur at his discretion classes of cases other than those referred to in the memo above	
To the Regr Sch Court " Dists. of Dists	12
No P. 3197-205 dt 23. 12-24	
In modification of G.O. no J. 4910-8/ch 43-20-33 dt 25-4-22. issuing orders the power to be invested on the Courts of the Benches of magistrates, direct that the Bench courts at Dist Hd. Quarters towns may be invested with II or III class powers.	611

481
P

7346

No. R.O.C 28-24
J

Office of the District Magistrate,
Hassan District,
Dated Hassan, the 30th J u l y 1924.

15

8/1/8

From

A. V. Ramanathan, Esq., B.A.,

District Magistrate, Hassan District.

To

B. Nagappa, Esq., Bar-at-Law.,

Secretary to the Government of His Highness the Maharaja of Mysore, Local and Legislative Departments, B a n g a l o r e.

S i r,

Adverting to Chief Secretary's memo No.G.18048/Cts. dated the 12th February 1920 forwarding copy of notification No.G.18047/Cts. -- 260-18-8 dated 12th February 1920 appointing some gentlemen as Special Magistrates for the Courts of the Benches of Magistrates of Arsikere and Hole Narsipur Taluks and ordering that only cases of ordinary nature such as simple hurt, theft and assault may be referred to these Courts, I have the honour to request that, in view of the fact that the Scheme of separation of Judicial and executive functions will shortly be -- introduced into the District and that the constitution of a more --- Courts of Benches of Magistrates has since been sanctioned with wider powers, sanction of Government may kindly be obtained for referring to these Courts, at the discretion of the District Magistrate, other - classes of cases also.

I have the honour to be,

S i r,

Your most obedient servant,

Asst Commissioner

for District Magistrate,
(Absent on tour)
Hassan District.

G. R. S. VI—G/32]

16

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* 191

Date of issue 5/9/24

Signed by M. V. 75.

Section C1

File No. 57—24

Serial No. 2

No. 5/1194

To

Dear Sir

With reference to your letter no: Misc 28-24 dt 30.7.24 requesting ~~that~~ Sanction of Govt ~~to be obtained~~ for referring to the Bench Courts at Anaikar and Wellampatti at the discretion of the District Magistrate the classes of cases also, I am to state that the G.O. No 1 4510-18/C1 43-20-33 dt 15.4-1922 empowers the Bench Courts at Salem headquarters to try cases of theft where the value of the

over.

I am directed to request you to explain what you mean by "~~to~~ Sanction of Govt must be obtained for referring to Bench Courts at all"

(7)

hardly does not exceed 2s 5d - what
is in itself an enlarged power and to
give anymore additional powers
means a modification of the order
In these circumstances, I am
to request you to kindly make your
meaning more clear. An early reply
is requested

Yours sincerely

J.G.

20

H. V. Hawkins Esq MB

D. M. Harrison

7.9.14
Lee

destruction of each
nest, other classes
of cases also" and
to make your point
clearer.

List of enclosures.

Copied by

Examined by

1133
P 18

Office of the District Magistrate,
Hassan District,
Dated Hassan the 6th September 1924.

D.O.No. C.28-24
9 D. 6.9.24.

Dear Sir,

In reply to your D.O. letter No.P. 1194-Cts. 57-24-2 dated the 5th September 1924, re: Bench Courts at Arsikere and Hole Narsipur, I write to say that though Government Notification No. G.18548-Cts. 12-2-1920 constituting these Courts and Government Notification 387-Cts. 25-24-7 dated 25th July 1924 constituting the 5 new Bench Courts in this District are similarly worded, the former notification was sent with Memo No.G. 18548 Cts dated 12th February 1920 in which there is a request to the District Magistrate "that only cases of ordinary nature such as simple hurt, theft & assault may be referred to the Bench for the present".

I understand this memo as limiting the wider meaning conveyed by the notification and therefore sought the removal of the restriction implied in this memo.

Such a request has not been communicated with the notification dated 25th July 1924.

Yours sincerely,

To

B. Nagappa, Esq., Bar-at-Law.,
Secretary to Government,
Local and Legislative Departments,
Bangalore.

G. R. S. VI–G-32]

SUBJECT Draft

B50—WD 0527 69

Diary No. of letter replied to

Section Ob

File No. 57–24

Serial No. 4

General and Revenue Secretariat

( )

the *192*

No. 7007-8

Date of issue 13/10/24

To The Hon. Khan Bahadur

Signed by M. F.

Sir

I am directed to request you to kindly intimate whether the Punch Contractor Khan Bahadur will not be invested with second class powers, since his work is satisfactory

Yours etc.

28

9/10

By 9/10/24

over

G. R. S. VI - G-32]

B50—WD 0527

SUBJECT Appts 20

Diary No. of letter replied to

Section Cfy

File No. 57-24

Serial No. 5

General and Revenue Secretariat

( )

, the 192 .

No. 2009—11

Date of issue 13/10/24

Signed by M. F. S.

To The D.M.s Hassan, Mercara and Kolar

Sir,

I am directed to request you to kindly intimate whether the Bench Courts in your District can be empowered with the powers to ~~not~~ take Cognisance of cases on complaint and on police reports under sections 190 (1) a and b respectively. An early reply is requested.

Yours obe

[illegible]

9/10

for Secretary

9/10/24

over

15

18875

1703

District Magistrate /

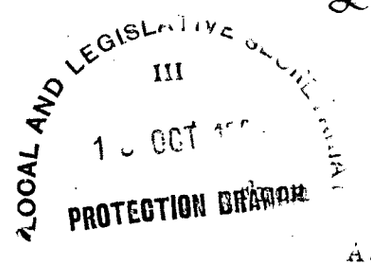
No. R2 Dis 129-24 / 8. Office of the ~~Deputy Commissioner~~, 4

Hassan District,

Dated Hassan the 14th October 24.

15 W

CR 57-24-6.



A.V. Ramanathan, Esq., B.A.,

District Magistrate, Hassan District.

B. Nagappa, Esq., Bar-at-Law,

Secretary to Government of Mysore,

Local and Legislative Departments,

B a n g a l o r e.

Sir,

Adverting to your letter No.P.2009-11/Cts.57-24-5 dated the 13th instant enquiring whether the Bench Courts in the District and Taluk Head Quarters can be empowered with the power to take cognizance of offences on complaint and on Police reports under Sections 190 (1) a and b respectively, I have the honor to state that I see no objection to empowering these Courts with the power referred to. I may also state that in pursuance of Sec.37 Criminal Procedure Code, the Bench Courts in this District have already been invested with power to take cognizance of specified classes of offences upon complaint and on Police reports under sections 190 (1) a and b respectively, in this Office Memos Nos. 138 dated 24-6-1915, C.448-18/J dated 9-12-1920 and No.C.374-23 dated 21-8-1924.

I have the honor to be,
S i r,
Your most obedient servant,

District Magistrate,
Hassan District.

19032

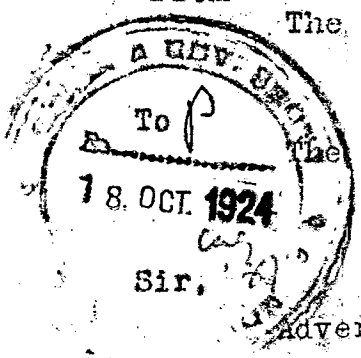
Nos C.J. 930 of 24/28 — 1720/P

Office of the District Magistrate,
Chitaldrug District.
Dated Chitaldrug 15th October 1924.

From

The District Magistrate,
Chitaldrug District

CB 57-24-7



To

The Secretary to Government,
Local & Legislative Departments,
Bangalore.

Sir,

Adverting to your letter No. P. 2009-11/Cts 57-24-5 dated 13th October 1924, I have the honor to state that the Bench courts in this District need not be empowered to take cognisance of offences on complaints and on police reports under section 190 (1) a and b respectively, till the introduction of the separation scheme into this District.

I have the honor to be,

S I R,

Your most obedient servant

District Magistrate,
Chitaldrug District.

8/10

5 19031

A. Dis 92 & 24/25

1719

23 P

Office of the District Magistrate,
Chitaldrug District.
Dated Chitaldrug 15th October 1924.

cb 57—24—8.

To

The District Magistrate,
Chitaldrug District

The Secretary to Government,
Local & Legislative Departments,
B a n g a l o r e.

Sir,

Adverting to your letter No.P.2007-8/cts 57-24.4 dated 1 th October 1924 I have the honor to state that in my opinion the Bench court at Chitaldrug need not be invested with 2nd class powers as there are no competent men on the Bench who could exercise 2nd class powers.

I have the honor to be,

S I R,

Your most obedient servant,

District Magistrate,

Chitaldrug District.

15

1857

No. 20121
Encs. Judge 1247
29 OCT 24-25

LOCAL AND LEGISLATIVE SECRETARIAT
PROTECTION BRANCH
29. OCT. 1924
P

OFFICE OF THE DISTRICT MAGISTRATE,
KOLAR DISTRICT.

Dated Kolar, the 21st October *1924*

Cts 57-24-9

From

S. HIRIANNAIYA, ESQ., M.A., B.L.,
DISTRICT MAGISTRATE, KOLAR DISTRICT.

To

B. Nagappa, Esq., Bar-at-Law,
Secretary to Government of Mysore,
Local & Legislative Departments, Bangalore.

Sir,

With reference to your letter No:P.2007-8/Cts.57-24-4 dated 13th October 1924, enquiring whether the Bench Court at Kolar may not be invested with Second Class Powers, I have the honor to state that the matter may be deferred till the end of June next. It is very difficult to get good men to serve on the Benches even in Kolar Town.

I have the honor to be,
S i r,
Your most obedient servant,
C Ramachendra Rao
Treasury Assistant Commissioner,
For District Magistrate,
Kolar District.

V.V.R.

Immediate

1864

P 25

No.
Encs.

OFFICE OF THE DISTRICT MAGISTRATE,
KOLAR DISTRICT.

Dated Kolar, the...25th..October.....192 4.

26

cb 57—24—10

FROM

S. HIRIANNAIYA, ESQ., M.A., B.L.,
DISTRICT MAGISTRATE, KOLAR DISTRICT.

To

B. Nagappa, Esq., Bar-at-Law,
Secretary to Government of Mysore,
Local & Legislative Departments, Bangalore.

Sir,

With reference to your Netter No:P.2009-11/Cts.57-24-5. dated 13-10-24, enquiring whether the Bench Courts in this District may be empowered with the power to take cognisance of offences on complaint and on Police reports under Sec.190 (i)(a) and (b) respectively of the Code of Criminal Procedure, I have the honor to state that all the Benches in Kolar District have been invested with the aforesaid power with effect from 1-11-23.

I have the honor to be,
S i r,
Your most obedient servant,
Chamarendra

Treasury Assistant Commissioner,
For District Magistrate,
Kolar District.
(absent from station).

Cs 57-24-11

Proceedings of the Govt. of H.H. the Highess the Maharaja of Mysore.

26

Read:-

Memo No. G. 18548 dated 12th February 1920 to The D.M.Hassan Dt. forwarding a copy of Not n No. G. 18547/Cts 260-18-8 dated the 12th Februar 1920 appointing Honorary Magistrates with 3rd Class powers for the Bench Courts at Arsikere and HoleNarsipur and directing that only cases of simple hurt, assault and less serious cases of theft ~~can~~ may be referred to these Bench Courts.

sd Ly. Hr J.S.

2. Letter No. R.O.C. 28-24/J dated the 30th July 1924 from the D.M.Hassan, requesting in modification of the O.M. read above, sanction to refer to these Courts at the discretion of the District Magistrate other classes of cases also triable by a magistrate of the Third Class.

Order No. P. 3194-6

Dated Bangalore 23-12- 1924.

S A N C T I O N E D

18/12

Secy to Govt.
Local & Leg. Depts.

To

The D. M. Hassan

" I.G. of Police

" Registrar, Chief Court under a C.L.

R.S.

Cts 57-24-12

Proceedings of the Govt. of H.H. the Maharaja of Mysore.

R e a d:--

G.O.No.J.4910-18/Cts. 43-20-33 dated 25-4-22 passing order re. the power to be ~~enforced~~ invested on the courts of Benches of Magistrates in the State.

Letters. Nos. Dis. 92 of 24-25 dated 15-10-24 and No. Dis.J.C.124/24-25 dated 24-10-24 from the District Magistrates of Chitaldrug and Kolar respectively regarding the question of investing the Courts of Benches of Magistrates in the Districts ~~with~~ lead Quarter towns powers of a Second Class Magistrate.

Order, No. P 3197-205 Dated, 23-12-24.

In their order read above, the Govt. directed that the courts of Benches of Magistrates ~~at taluk Head Quarters be invested with power to try cases of theft. When the value of the property does not exceed Rs.50~~ and those at District Head Quarter towns included maybe with the full powers of a Third Class Magistrate when they ~~are~~ have not already invested with such powers. On further consideration, the Govt. are now pleased to direct that ~~they may, at their discretion, invest the courts of Benches of Magistrates at Dist. Head quarter towns~~ the Courts of Benches of magistrates at Dist Head quarter towns maybe invested with the powers of a Second or Third Class Magistrates.

18/12 ~~For~~ Secy. to Govt. L.L. Depts.

The Registrar, Chief Court.
The Dist. Magistrates of Dts.